

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
PLANNING CONTROL COMMITTEE
WEDNESDAY 2 MARCH, 2016 AT 3.20 P.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT:
Councillors

Cartwright, Mrs. S.M. (Chairman)
Preece, J.T. (Vice-Chairman)

Allen, F.W.C.	Grocott, M.R.
Burnett, G.	Kraujalis, J.T.
Dean, A.	Lea, C.
Dudson, Ms. M.	Pearson, A.
Foley, D.	Snape, P.A.
Freeman, Miss M.A.	Sutherland, M.

(The start of the meeting was delayed slightly due to the site visits running over).

125. Apologies

An apology for absence was received from Councillor B. Hardman.

126. Declarations of Interests of Members and Officers in Contracts and Other Matters and Restriction on Voting by Members

No further declarations were made in addition to those already confirmed by Members in the Register of Members Interests.

127. Disclosure of lobbying of Members

All Members declared that they had been lobbied in respect of Application CH/15/0492, Land adjacent to Armitage Road, Rugeley – residential development: Erection of 103 dwellings (reserved matters including access, appearance, landscaping, layout and scale for outline application CH/14/0293).

Councillor Mrs. S.M. Cartwright declared that she had been lobbied in respect of Application CH/14/0187, Land at Peregrine Way, Cannock – Retention of existing play area and associated equipment with the following proposed revisions:- removal of teen shelter, reduction in height of the MUGA fencing from 3 metres to 2 metres and other noise attenuation measures.

128. Minutes

With regard to Minute 120 the Development Control Manager advised that he had outlined the conditions to be added at the meeting and these had been included within the permission.

RESOLVED:

That the Minutes of the meeting held on 17 February, 2016 be approved as a correct record and signed.

129. Members' Requests for Site Visits

None

130. **Application CH/15/0492, Residential Development, erection of 103 dwellings (reserved matters including access, appearance, landscaping, layout and scale) relating to outline permission CH/14/0293, Former Ultra Electronics Site, Armitage Road/Main Road, Brereton**

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.5 – 6.33 of the Official Minutes of the Council).

The Planning Projects Officer circulated the following update to the Committee:-

“Following the completion of the committee report further representations have been received, which are summarised below.

Objection from occupier of 43 Thorn Close on impact on her property and on the TPO'd tree in her garden.

The original McInerney scheme had a 3 story house 10.25 metres to the ridge 7 metres from the boundary but immediately to the rear of the principal windows of no. 43. In response to the objection Barratts have agreed to move the dwelling from 2 metres to 3.9 metres from the boundary. The dwelling is 2 storey 8.5 metres to the ridge and sited behind the linked double garage to 43, not the main dwelling as with the previous scheme at a distance of 21.2 metres. The tree is approximately 9 metres from the proposed dwelling on plot 46 and there is a nearer TPO'd tree on the application site at 6 metres which is being provided with appropriate roof protection during construction. There would be no further impact on the tree in the objector's garden. The siting of the dwelling is considered to be acceptable.

Objection from occupier of 37 Thorn Close relating to impact on TPO'd tree in his rear garden.

The applicant's arboriculturalist has responded with detailed roof protection proposals. The distance between the centre of the trunk and the nearest part of the proposed dwelling on plot 38 is 6.2 metres. There would be a marginal encroachment into the roof protection zone of 0.05 metres which won't have a detrimental impact on the health of the tree, but to avoid any concern additional ground protection boarding is proposed and the proposed path connecting the front

and rear gardens will be of “no dig” construction – i.e. built above ground level and of porous material thereby avoiding any surface compaction.

In addition, officers would like to bring to the attention of the Planning Committee the following matters:

1. The siting of refuse collection compounds for properties served by private drives have been agreed with officers and therefore there are no outstanding issues relating to the site layout with the County Council as Highway Authority.
2. A draft Deed of Variation for the s106 agreement relating to the provision of public open space in two locations instead of one has been submitted. The overall area of open space remains as originally proposed at around 2450 square metres.

Recommendation:

That the Planning Control Committee delegate the issuing of the planning permission to the Head of Economic Development upon completion of the Deed of Variation for the s106 Agreement, subject to conditions”.

Prior to consideration of the application representations were made by Paul Coles (Barratt’s).

RESOLVED:

That the application be delegated to the Head of Economic Development for approval upon completion of a Deed of Variation to the s106 Agreement dated 28 May, 2015 subject to the conditions contained in the report for the reasons stated therein.

131. Application CH/15/0466, Proposed conversion of barn into a 3 bedroom dwelling and associated works, The Buds, Buds Road, Cannock Wood

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.34 – 6.55 of the Official Minutes of the Council).

The Development Control Manager circulated the following update to the Committee:-

“Paragraph 5.25 of the report incorrectly states that the Council has decided that the requirement for an off site affordable housing contribution will not apply to proposals of 1-4 dwellings. Officers can confirm that this is incorrect. An off site affordable housing contribution IS required for this proposal, based on the formula set out under paragraph 5.26”.

Prior to consideration of the application representations were made by Mr. Thomas (an objector), Parish Councillor A. Green (an objector) and Mr. Billingham (the applicant).

RESOLVED:

That the application, which was recommended for approval, be refused for the following reasons:-

1. The proposed extension, alteration and conversion of the existing building would facilitate the creation of a new dwelling in the countryside, which also forms part of the Green Belt and is within an Area of Outstanding Natural Beauty. The proposed dwelling including curtilage and associated paraphernalia along with the urbanisation of the site would result in encroachment into the countryside and impact on the openness of the Green Belt. As such, the proposal conflicts with policies CP1, CP3 and CP14 of the Cannock Chase Local Plan (Part 1) and the NPPF particularly paragraphs 79, 80 and 90.

2. The new dwelling and associated curtilage would also have an adverse impact on the appearance and character of the Area of Outstanding Natural Beauty. As such, the proposal conflicts with policies CP1, CP3 CP14 of the Cannock Chase Local Plan (Part 1) and the NPPF in particular paragraphs 109 and 115.

132. Application CH/150484, Retrospective application for the retention of existing manege, field shelter and existing extension to barn, Land to the rear of Court Hayes Farm, Ironstone Road, Cannock

Following a site visit consideration was given to the report of the Development Control Manager (Item 6.56 – 6.72 of the Official Minutes of the Council).

The Development Control Manager circulated the following update to the Committee:

“Following the completion of the committee report a further representation has been received, which is summarised below.

- There are more buildings than necessary for the maximum number of animals on the land and insufficient land for the number of animals the applicant keeps.
- Manure is disposed on site, which is a Nitrate Vulnerable Zone (NVZ).
- Manure and bales almost in the ditch where as DEFRA rules state that you must not build or maintain a field heap within 30m of surface water including ditching.
- Planning consent should enforce against all buildings that have been erected without consent.

In addition officers would like to clarify that references to “menage” in the report are incorrect and the correct term is “manege”, which is a riding area for training horses.

Prior to consideration of the application a representation was made by Parish Councillor A. Green who, following the site visit, withdrew the Parish Council’s objections to the application. A further representation was made by Mrs. Boston-Derry (the Applicant).

RESOLVED:

- (A) That the application, which was recommended for refusal, be approved as the Committee considered that the field shelter was an appropriate building in the Green Belt based on associated agricultural use and that the applicant had set out very special circumstances for the retention of the Manege.
- (B) The approval was subject to conditions and informative, which would be delegated to the Head of Economic Development.

(At this point in the proceedings the Committee adjourned for a 5 minute comfort break).

133. Application CH/14/0187, Retention of existing play area and associated equipment with the following proposed revisions: removal of teen shelter, reduction in height of the Multi Use Games Area fencing from 3 metres to 2 metres and other noise attenuation measures, Land at Peregrine Way, Cannock

Consideration was given to the report of the Development Control Manager (Item 6.73 – 6.90 of the Official Minutes of the Council).

RESOLVED:

(A) That the application be approved subject to the following:-

- Retention of the teen shelter
- Implementation of rubber stops on the existing gate
- The height of the MUGA fencing being retained at 3 metres

(B) The approval was subject to the following conditions:-

- 1) Within 1 month of the date of this decision a scheme to mitigate noise associated with the gate of the Multi Use Games Area (MUGA) shall be submitted to and agreed in writing with the Local Planning Authority. Thereafter, the approved scheme shall be implemented within two months of the date of this decision and retained for the life of the development.

Reason: To safeguard the amenity of nearby residents.

- 2) The development hereby permitted shall be retained in accordance with the following approved plan: Drawing No. LS-02 Rev A.

Reason: For the avoidance of doubt and in the interests of proper planning.

The meeting closed at 5.20 pm.

CHAIRMAN